



KENTUCKY DEPARTMENT OF EDUCATION

Capital Plaza Tower, 500 Mero Street, Frankfort, KY 40601

MEMORANDUM

CACFP Policy and Procedure Memorandum 2015-09

TO: All CACFP Consultants

FROM: Elizabeth Fiehler, Program Manager
Child and Adult Care Food Program

RE: Requirements of Justification for Selections of Higher Catering Quotes and Bids

DATE: September 1, 2015

USDA CFR 226.22(h)(E) states in reference to the competitive bid procedure, "Any or all bids may be rejected when there are sound documented business reasons in the best interest of the Program."

Procedure: In reference to the above regulation, when selecting a higher quote or bid from a responsive, responsible bidder during the procurement of a caterer, written justification is to be submitted to the State Agency for approval before awarding the contract to the selected caterer. Listed below are sound business reasons that must be considered when choosing a higher bid or quote.

- _____ Bidder cannot meet the terms of the contract
- _____ Bidder changes the terms of the contract
- _____ Bidder subcontracts services
- _____ From time bid/quote is submitted to time award is made, business changes ownership
- _____ Prior performance of lowest responsible, responsive bidder
(must be specific and detailed in explanation)

A written justification, including explanation of the criteria above that apply, must be submitted to the State Agency when seeking approval for a higher bid or quote. The justification must be submitted along with the required documentation as stated in the State Agency's Catering Guidance. This should be submitted via fax @ (502) 564-5519; email to cacpfcatering@education.ky.gov; or mail to Kentucky Department of Education, School and Community Nutrition, 500 Mero Street, Frankfort, KY 40601.